

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	: 10/781,572	Confirmation No.	: 9281
First Applicant	: Zaklika	Art Unit	: 2624
Filed	: February 17, 2004	Examiner	: Desire, Gregory M.
Title	: Adaptive region editing tool		
Docket No.	: 197-001-USP		
Customer No.	: 45346		

INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.133(b), the following is a summary of a telephonic interview between the undersigned attorney for Applicant and examiner Gregory M. Desire that occurred on 24 August 2008. The conversation concerned the propriety of the claim rejections under 35 U.S.C. § 101 15 April 2008 Office action, Applicants' response dated 16 June 2008, and the Advisory action dated 25 July 2008.

During the interview, Applicants reiterated the arguments presented in the responses to the Office actions that the law, both statutory and judicial decisions, and regulations do not require that any particular result of the claimed invention be explicitly recited in the claims. Applicants offered the example of a claim to a mechanical apparatus in which there is no requirement to place in the claim language what the apparatus actually does; only the elements of the apparatus are required. The law required no more of method claims. Applicants' reiterated the rulings in several Federal Circuit cases previously discussed by Applicants in earlier responses and applied those results to the circumstances of this case.

Applicants further argued that the claims are limited to the manipulation and transformation of pixels. The claims do not foreclose the transformation or editing of other types of data using the claimed methods.

Examiner Desire indicated that in view of the discussion, he believed the claims were allowable as presented and would withdraw the rejection under section 101. He indicated that

further review would be required to determine whether any double patenting issues needed addressing in view of other copending applications by the same inventors.

Respectfully submitted this 15th day of September 2008.

/Brad J. Hattenbach/

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